

1 KAREN P. HEWITT
 2 United States Attorney
 3 BRUCE C. SMITH
 4 Assistant U.S. Attorney
 5 California State Bar No. 078225
 6 Federal Office Building
 7 880 Front Street, Room 6293
 8 San Diego, California 92101-8893
 9 Telephone: (619) 557-6963
 10 E-mail: bruce.smith@usdoj.gov

11 Attorneys for Plaintiff
 12 United States of America

13 UNITED STATES DISTRICT COURT
 14
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,)
 17)
 18 Plaintiff,)
 19)
 20 v.)
 21)
 22 ONE 2004 NISSAN ALTIMA SEDAN,)
 23 CALIFORNIA LICENSE)
 24 NO. 6CQS554,)
 25 VIN 1N4AL11D54C135990,)
 26 ITS TOOLS AND APPURTENANCES,)
 27)
 28 ONE 1998 CHRYSLER SEBRING)
 COUPE, CALIFORNIA LICENSE)
 NO. 5DDK880,)
 VIN 3C3EL45H1WT316087,)
 ITS TOOLS AND APPURTENANCES,)
 Defendants.)

08 CV 0982 JAH LSP
 EX PARTE MOTION TO APPOINT
 CUSTOMS AND BORDER PROTECTION
 AS CUSTODIAN

21 COMES NOW the Plaintiff, United States of America, and moves
 22 this Court for an order appointing the Bureau of Customs and
 23 Border Protection (CBP), United States Department of Homeland
 24 Security, as custodian of the above-described defendant properties
 25 upon execution of the warrant of arrest *in rem*. In support of
 26 this motion, the plaintiff states as follows:

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FILED

08 JUN -3 AM 11:05

CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

BY: CP DEPUTY

1. The CBP has been staffed with personnel experienced in providing for the management of properties such as the defendants in this case.

2. The CBP has consented to assume responsibility for the protection and safety of the defendants during the period the same remain in *custodia legis*.

3. The continued custody by the CBP following execution of the warrant of arrest *in rem* is necessary and in the best interests of the United States in this case given the nature of the defendants and the expertise within the CBP to provide for the management, protection and preservation of the defendants.

4. It is further requested that all reasonable expenditures incurred by the CBP be a first charge against the defendants.

WHEREFORE, the United States respectfully requests that this motion to appoint CBP as custodian of the defendant properties be granted.

DATED: June 3, 2008

~~KAREN P. HEWITT~~
~~United States Attorney~~

BRUCE C. SMITH
Assistant U.S. Attorney